

SPECIAL CIVIL APPLICATION No 7108 of 1999

Hon'ble MR.JUSTICE M.C.PATEL Sd/-

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order mJJJJJ

Versus

MR RM PARMAR for Respondent No. 1

Date of decision: 20/12/1999

The respondent was employed as driver in the

petitioner corporation. He was found guilty of remaining absent without leave from 17.1.1992 to 5.3.1992 and was dismissed from service in departmental proceedings. The Labour Court has allowed the reference and has set aside the punishment of dismissal on the ground that it is excessive and has ordered the respondent to be reinstated in service without backwages and has awarded the punishment of stoppage of one increment. After hearing the submissions made by the learned Advocates for the respective parties and in view of the previous record the punishment of stoppage of two increments with permanent effect is ordered to be awarded. The award made by the Labour Court shall stand modified accordingly. Rule made absolute to the aforesaid extent. No order as to costs.

m.m.bhatt